

CHAPTER NO. 259**HOUSE BILL NO. 702****By Representatives Bowers, Lois DeBerry****Substituted for: Senate Bill No. 529****By Senator McNally**

AN ACT to amend Tennessee Code Annotated, Title 71, relative to TennCare.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 71-5-2404, is amended by adding the following as a new subsection (c) and by redesignating the existing subsections appropriately:

(c) Any individual shall be permitted to make a public presentation to the TennCare pharmacy advisory committee regarding a drug or classes of drugs under consideration for the TennCare preferred drug list in accordance with the following:

(1) A presentation shall be limited to an agenda item and there shall be a maximum of three (3) presentations per agenda item;

(2) A request to make a verbal presentation shall be submitted in writing via facsimile or electronically to the pharmacy director of bureau of TennCare, or the named designee, with a copy to the chairman of the TennCare pharmacy advisory committee no later than seventy-two (72) hours in advance of the scheduled meeting;

(3) The time limit for a verbal presentation by or on behalf of a pharmaceutical manufacturer shall not exceed five (5) minutes in aggregate per drug per manufacturer or organization, or five (5) minutes by an individual, manufacturer or organization speaking on a particular position. The committee may, by a unanimous vote, extend the time limitation for presentation; and

(4) An individual, manufacturer or organization may present updated or new information, including drug package insert changes, new indications or peer-reviewed journal articles on a product.

(5) The committee may receive written studies, data and information relative to the cost-effectiveness of drugs being considered for placement on the preferred drug list. Such written information shall be distributed to the TennCare pharmacy advisory committee members. Such written information must be received by the TennCare pharmacy director no later than five business days prior to the scheduled pharmacy advisory committee meeting.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 16, 2005


JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 28th day of May 2005


PHIL BREDESEN, GOVERNOR